

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

UNITED STATES OF AMERICA

v.

KRISOPHER LEE DALLMANN,
DOUGLAS M. COURSON,
FELIPE GARCIA,
JARED EDWARD JAUREGUI, and
PETER HUBER,
Defendants.

:
:
:
:
:
:
:
:
:
:

CRIMINAL NO. 1:19-CR-253

Hon. T.S. Ellis, III.

JOINT MOTION TO CONTINUE TRIAL AND
NOTICE FOR ADVICE OF COUNSEL DEFENSE

COMES NOW the Defendants and United States, by and through counsel, and respectfully move this Honorable Court to continue the jury trial scheduled for January 19, 2021 and notice date for the advice of counsel defense. In support of this Motion, the parties state the following:

It appears that the recent aggressive spread of the Covid-19 pandemic may affect our trial date. On November 16, 2020, the Chief Judge of the United States District Court for the Eastern District of Virginia, the Honorable Mark S. Davis, issued General Order No. 2020-22 on suspending all criminal jury trials for two months, in response to Covid-19 ravaging the United States and the Commonwealth of Virginia. Since then, on December 2, 2020, the United States District Court's Chief Judge for the Western District of Virginia, the Honorable Michael F. Urbanski, issued Second Amended Standing Order 2020-10 and 2020-14, postponing all jury trial until March 1, 2021. (*See Ex.1*). Given the ongoing public health crisis, it is conceivable that Eastern District may take additional precautions and extend the criminal jury trial's postponement beyond January 19, 2021. Since all of the defendants and witnesses must travel to the District from Nevada and California for trial, the parties agree that it would be prudent to

request a continuance now.

Additionally, the Court has taken under advisement Mr. Dallmann's and Mr. Jauregui's motion to suppress and the government's renewed motion requesting confirmation of waiver of attorney-client privilege. (Dkt. 415). The defendants who intend to assert the advice of counsel defense are required to file notice in advance of trial. The deadline to disclose was originally set for no later than ten days before trial; however, the deadline was changed to no later than forty days before trial, December 10, 2020, based on the scheduled January 19, 2021 trial date. Therefore, the parties respectfully request this Honorable Court to extend the deadline to disclose advice of counsel defense to avoid prejudice to the defendants if required to disclose their defense forty days before trial, and then subsequently, the trial is continued or suspended by order. Defendant Yoany Vaillant does not join this motion.

WHEREFORE, the parties, through counsel, respectfully request this Honorable Court to continue the trial and notice deadline to disclose advice of counsel defense.

Respectfully Submitted,
KRISOPHER LEE DALLMANN,
DOUGLAS M. COURSON,
FELIPE GARCIA,
JARED EDWARD JAUREGUI, and
PETER HUBER

By Counsel for Kristopher Dallmann

/s/

Vernida R. Chaney
Chaney Law Firm PLLC
4120 Leonard Drive
Fairfax, VA 22030
Tel: 703-879-6650
Fax: 703-776-9008
vchaney@chaneylawfirm.com

CERTIFICATE OF SERVICE

I hereby certify that on December 7, 2020, I will file the foregoing pleading with the Clerk of the Court using the CM/ECF system, which will then send a notification of such filing (NEF) to all parties.

/s/

Vernida R. Chaney
Chaney Law Firm PLLC
4120 Leonard Drive
Fairfax, VA 22030
Tel. 703-879-6650
Fax 703-776-9008
vchaney@chaneylawfirm.com